

RETURN DATE: APRIL 26, 2022 : SUPERIOR COURT
DEBORAH COX, ET AL : JD OF ANSONIA-MILFORD
VS. : AT MILFORD
CITY OF ANSONIA AND
ANSONIA POLICE DEPARTMENT : MARCH 29, 2022

PETITION FOR BILL OF DISCOVERY

Pursuant to the inherent power of this Court, the plaintiffs, Deborah Cox, Samantha Morales, Imelda Rivera, and Sophia Morales PPA Samantha Morales for a bill of discovery in equity, to conduct discovery under the Connecticut Rules of Civil Procedure.

1. The plaintiff Deborah Cox is a resident of the State of Connecticut with her place of residence being in the City of New Haven.

2. The plaintiff Samantha Morales is a resident of the State of Connecticut with her place of residence being in the City of Ansonia.

3. The plaintiff Imelda Rivera is a resident of the State of Connecticut with her place of residence being in the City of Ansonia.

4. The plaintiff Sophia Morales PPA Samantha Morales is a resident of the State of Connecticut with her place of residence being in the City of Ansonia.

5. On July 16, 2021, and for a long time prior thereto, the defendant, City of Ansonia, was and is a municipal corporation existing under the laws of the State of Connecticut.

6. On July 16, 2021, and at all relevant times referenced herein, Officer Peter Lovermi was a police officer employed by the defendant, City of Ansonia, and was acting in the

performance of his duties within the scope of his authority, operating a marked police vehicle owned by the defendant.

7. On or about July 16, 2021, at approximately 1:54 p.m., the plaintiff, Deborah Cox, was a pedestrian standing on the sidewalk off North Main Street in front of the Daily Mart in Ansonia, CT.

8. At the same time and place, a vehicle owned by Kashondra Lakeisha Foster suddenly, and without warning, veered off of North Main Street at a high rate of speed and struck the pedestrian plaintiff standing on the sidewalk causing her to sustain serious personal injuries and incur significant medical bills.

9. Upon information and belief, and upon review of available surveillance footage, the vehicle which veered off of North Main Street and struck the pedestrian plaintiff, appears to have been under pursuit and/or actively being followed by Officer Peter Lovermi III, in the course of his employment with the defendant.

10. Upon information and belief, following the above motor vehicle vs. pedestrian accident, multiple officers employed by the defendant appeared on scene to investigate the matter at which time their body cameras were activated and actively recording the scene and interviews of witnesses on scene.

11. Upon information and belief, following the above motor vehicle vs. pedestrian accident, the Ansonia Police Department investigated this incident which may have included taking witness statements, measurements, photographs of critical evidence, which such evidence has been only available to the investigating police officers present at the scene on the date of this

incident.

12. On September 9, 2021, by way of written correspondence, plaintiff's counsel requested all supplemental police reports of this incident, copies of any and all video surveillance of the location of North Main Street at Third Street in Ansonia, CT between 1 pm and 3 pm; and further, copies of the body and dash camera footage from the investigating officers named.

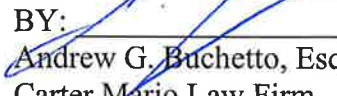
13. On September 13, 2021, the defendant, through counsel, provided written correspondence to the plaintiff, advising that an investigation was under review to determine whether the requested information could be provided and/or whether any of the nineteen exemptions outlined in Connecticut General Statutes § 1-206 applied.

14. On September 20, 2021, the defendant, through counsel, provided written correspondence to the plaintiff, advising that due to an ongoing investigation, none of the requested materials regarding the plaintiff's September 9, 2021 FOIA request could be produced.

15. The above information is necessary to investigate and determine whether the Ansonia Police Department was actively pursuing the high-speed vehicle which veered off the road and struck the plaintiff. The information is further necessary to investigate and determine whether the plaintiff has any viable cause of action against the City of Ansonia and the materials sought will be vital to the such action.

16. The plaintiff has no adequate remedy at law to obtain the martials requested.

THE PETITIONER,
DEBORAH COX
SAMANTHA MORALES
IMELDA RIVERA
SOPHIA MORALES PPA SAMANTHA
MORALES

BY: 

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Milford, CT 06461
Juris No. 106160


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PRAYER FOR RELIEF

WHEREFORE, the plaintiff claims:

1. An order of the court requiring the defendant to release the vide to the plaintiff
and/or its attorney, so that it may be reviewed;
2. Any other relief as in law or equity may appertain.

THE PETITIONER,
DEBORAH COX
SAMANTHA MORALES
IMELDA RIVERA
SOPHIA MORALES PPA SAMANTHA
MORALES

BY: 
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ORDER

The foregoing Complaint for Bill of Discovery having been heard by the Court, it is hereby

GRANTED / DENIED

It is further ordered that:

BY THE COURT
